Maine Revised Statutes

Title 20-A: EDUCATION

Chapter 303: CHILDREN WITH DISABILITIES
HEADING: PL 2005, c. 662, Pt. A, §21 (rpr)

§7302. TUITION RATES

Tuition rates for school administrative units, private special education programs, private general purpose facilities and nonresident children shall be as follows. `[1981, c. 693, §§5, 8 (NEW).]`

1. **School administrative units.** A school administrative unit operating a full-time special education program and accepting students on a tuition basis shall compute a tuition rate. The tuition rate shall not exceed the actual per student cost incurred in operation of the special education program. The commissioner shall adopt or amend rules to define allowable expenditures used to determine the per student cost.

`[ 1981, c. 693, §§5, 8 (NEW) .]`

2. **Private special education facilities; private general purpose agencies.** Private agencies that operate facilities that exclusively serve children with disabilities and private general purpose agencies that receive state aid for special education programs shall comply with the following in computing tuition rates.

A. All tuition rates are subject to approval by the commissioner. `[2005, c. 153, §6 (AMD).]`

B. The tuition rates may not exceed the actual per student cost incurred in the operation during the preceding school year. `[2005, c. 153, §6 (AMD).]`

C. The commissioner shall adopt or amend rules to define allowable expenditures used to determine per student costs. `[1981, c. 693, §§5, 8 (NEW).]`

D. An agency shall file an annual financial report detailing the allowable expenditures and the computation of the tuition rate at such time and in the form the commissioner may require. `[1983, c. 278, §2 (AMD).]`

E. Increases in the tuition rate from one year to the next may not exceed the tuition rate established through negotiation unless evidence is presented to the commissioner that a hardship will exist if a higher rate of increase is not approved, and this evidence is determined sufficient by the commissioner. `[2005, c. 153, §6 (AMD).]`

F. The commissioner shall establish a tuition rate for new special education programs in special purpose private schools and private general purpose agencies based on the estimated allowable costs of these schools. `[2005, c. 153, §6 (AMD).]`

`[ 2005, c. 662, Pt. A, §35 (AMD) .]`

3. **Private general purpose facilities.**

`[ 2005, c. 153, §7 (RP) .]`

4. **Exempted private agencies.** This section shall not apply to and the commissioner shall have no authority over tuition rates charged for special education programs by private agencies where the tuition is not paid, reimbursed or otherwise funded in whole or in part by this State.

`[ 1981, c. 693, §§5, 8 (NEW) .]`

`SECTION HISTORY`

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1981, c. 693, §§5,8 (NEW).  1983, c. 278, §2 (AMD).  1997, c. 736, §1
(AMD).  2005, c. 153, §§6,7 (AMD).  2005, c. 662, §A35 (AMD).
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